

Absent—Excused

Kazen	Phillips
Lane	Rogers of Travis
Moffett	Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	McDonald
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

Absent—Excused

Kazen	Phillips
Lane	Rogers of Travis
Moffett	Weinert

Senate Resolution 75

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have in the gallery the Civics Class of Bridgeport High School and their very outstanding teacher, Mr. N. A. Howery, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senator Wagonseller by unanimous consent presented the students and Mr. Howery to the Members of the Senate.

House Bill and Resolution on First Reading

The following bill and resolution received from the House today were read first time and referred to the committees indicated:

H. B. No. 281, to the Committee on Game and Fish.

H. C. R. No. 27, to the Committee on Civil Jurisprudence.

Adjournment

On motion of Senator Hardeman, the Senate at 11:43 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

TWENTY-SECOND DAY

(Tuesday, February 22, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis
McDonald	

Absent—Excused

Lane	Weinert
Moffett	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Holy Father, teach us that a nation may be known and judged by the men it honors. May this be a moment of dedication to the ideals that made Washington and our country great; grant that we may catch the spirit of the Psalmist when he said, "Let my right hand forget her cunning . . . my tongue cleave to the roof of my mouth, if I forget thee, O Jerusalem." We pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Weinert was granted leave of absence for today on account of im-

portant business on motion of Senator Martin.

Senator Moffett was granted leave of absence for today on account of important business on motion of Senator Kelley.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills and resolutions:

S. C. R. No. 12, Granting permission to Holland Page to sue the State of Texas.

S. B. No. 58, A bill to be entitled "An Act amending the Texas Liquor Control Act so as to provide that the inspection fee or charge provided in Section 21 of Article I of the Texas Liquor Control Act, on liquor (vinous, malt or spirituous) exported from this State shall not exceed the sum of Five (\$5.00) Dollars per shipment; repealing laws in conflict herewith to the extent of such conflict; and declaring an emergency."

S. B. No. 123, A bill to be entitled "An Act repealing Chapter 74, Local and Special Laws of the 39th Legislature, Regular Session, 1925 (Special Road Law for Denton County) and all amendments thereto; and declaring an emergency."

S. B. No. 124, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Denton County, etc., and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act regulating the take, catch, and disposition of fish and minnows from the lakes, ponds, rivers, or creeks within the boundaries of Comal County; prohibiting the use of poisons, drugs, explosives, and substances or things deleterious to fish in said waters; providing penalties for violation; and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act authorizing and empowering the Board of Directors of the Agricultural and Mechanical College of Texas, acting by the Chancellor thereof, to execute and deliver a deed to certain land in Denton County, Texas, conveying said land to the Gulf, Colorado and Santa Fe Railroad Company; etc.; and declaring an emergency."

S. B. No. 96, A bill to be entitled "An Act making it unlawful for any person to take or attempt to take more than two (2) wild turkey gobblers during any one open season in Comal County; prescribing a penalty for violation of this Act; and declaring an emergency."

H. B. No. 358, A bill to be entitled "An Act changing the name of 'McKnight State Sanatorium' created by House Bill 373, Ch. 343, Acts of the 52nd Leg., Regular Session, 1951, to McKnight State Tuberculosis Hospital; providing that all laws heretofore or hereafter enacted by the Legislature applicable or relating to 'McKnight State Sanatorium' shall be applicable and relate to McKnight State Tuberculosis Hospital; etc.; and declaring an emergency."

H. C. R. No. 23, Memorializing the Congress of the United States to take such action as is necessary to limit petroleum imports to a reasonable amount.

H. B. No. 151, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 283, Acts of the Fifty-second Legislature, 1951, by removing Waller County from the provisions and application of the Act; and declaring an emergency."

H. B. No. 271, A bill to be entitled "An Act validating the Acts of County Boards of School Trustees in counties of more than 300,000 population according to the last preceding Federal Census, in ordering elections under the provisions of Chapter 259, Acts 1947, 50th Legislature, Regular Session, for the annexation of independent and common school districts to contiguous independent school districts and in annexing territory not included in any school district to contiguous independent school districts, as authorized by Chapter 334, Article VIII, Acts 1949, 51st Legislature, Regular Session; validating all such elections, etc.; and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act regulating wildlife resources in Medina County; amending Section 1 of Chapter 120, Acts of the 53rd Legislature, Regular Session, as amended by Chapter 10, Acts of the 53rd Legislature, First Called Session, so as to add Medina County to the list of counties to which that law applies; fixing the effective date and

duration of this Act; and declaring an emergency."

Reports of Standing Committees

Senator Kelley submitted the following reports:

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 129, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, and be not printed.

KELLEY, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 145, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

KELLEY, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 199, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

KELLEY, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 7, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLEY, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 151, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLEY, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred S. B. No. 152, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLEY, Chairman.

Senator Shireman submitted the following reports:

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 316, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 281, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred S. B. No. 237, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIREMAN, Chairman.

Senator Secrest submitted the following reports:

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 19, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 25, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. C. R. No. 11, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 64, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Austin, Texas
February 22, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 149, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman

Senator Fuller submitted the following reports:

Austin, Texas
February 21, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 27, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FULLER, Chairman

Austin, Texas
February 21, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Highways and Motor Traffic, to whom was referred S. B. No. 187, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

FULLER, Chairman

Austin, Texas,
February 21, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was

referred Senate Bill No. 48, have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute for Senate Bill No. 48 do pass, in lieu thereof, and be printed.

FULLER, Chairman

C. S. S. B. No. 48 was read the first time.

Senator Hardeman submitted the following reports:

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 54, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 202, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

HARDEMAN, Chairman

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 131, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 25, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

HARDEMAN, Chairman

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 179, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 85, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute adopted in lieu thereof do pass, as amended, and be printed.

HARDEMAN, Chairman

C. S. S. B. No. 85 was read the first time.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 306, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute adopted in lieu thereof do pass and be printed.

HARDEMAN, Chairman

C. S. H. B. No. 306 was read the first time.

Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 10, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

HARDEMAN, Chairman

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 22, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 156, A bill to be entitled "An Act relating to firemen's and policemen's civil service in cities of 10,000 or more inhabitants; amending various sections of the Acts of 1947, 50th Legislature, p. 550, Ch. 325, as amended (commonly referred to as Vernon's Ann. Civ. St. Art. 1269m) amending Section 14, Subsection D; by providing for written examination without oral interview for applicants for promotion; amending Sections 16 and 20 by extending the period of time within which a written statement concerning a suspension shall be filed with the Commission; amending Section 18 by permitting an appeal to the District Court from a Commission order of demotion; amending Section 21 by providing that when vacated or abolished positions are filled or recreated within one (1) year, employees theretofore involuntarily demoted from such positions shall be given priority in promotion thereto; amending Section 26 by abolishing the 90 day maximum upon sick leave which may be accumulated and used while in service; amending Section 27 (b) by shortening to one (1) year the period during which the Act must be in effect before an election for the repeal of the Act may be called, and by abolishing the provision concerning election for repeal in smaller cities in which the Act has been in effect for two years; and declaring an emergency."

H. B. No. 108, A bill to be entitled "An Act providing for the employment of a Manager, Tax Assessor and Collector, and other employees, by the Directors of Water Improvement Districts operating under contract with the Department of the Interior of the United States of America, the major portion of the irrigation works for which District shall have been constructed under authority of the

United States; defining the powers and duties of such employees; limiting the term of employment of such employees to two years; providing that the salaries or compensation of such employees shall be fixed at the time of their employment; and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act creating an additional County Court at Law in El Paso County; providing the jurisdiction of such court; providing the terms of said court; providing for the appointment of a judge for said court; providing his powers, duties, term of office and compensation; providing for the appointment, designation and compensation of the officers of the court; providing the jurisdiction and terms of the present El Paso County Court at Law; making other provisions relative to the business and functions of the El Paso County Court, and the County Court at Law No. 2 of El Paso County created by this Act; providing the method for filling vacancies; providing a severability clause; providing a repealing clause and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bills on First Reading

The following Senate bills were introduced, read first time and referred to the committees indicated:

By Senator Parkhouse:

S. B. No. 239, A bill to be entitled "An Act to amend subsection (f) of Section 2 of Article V of Senate Bill No. 116, Chapter 334, Acts of 51st Legislature, Regular Session, as amended by Senate Bill No. 90, Chapter 198, Acts of 52nd Legislature, Regular Session (Article 2922-15, Sec. 2, (f), V. C. S.) relating to school bus transportation provided in the Foundation School Program Act; and declaring an emergency."

To the Committee on Finance.

By Senator Strauss:

S. B. No. 240, A bill to be entitled "An Act amending Article 5.01, Subchapter A, Chapter 5 of Senate Bill 236, known as the Insurance Code, 1951, 52nd Legislature, by adding thereto one word, to-wit, the word 'minimum' after the word 'adequate' and before the word 'rates' in the first sentence of the second para-

graph of said Article, so that said expression in said article shall read 'adequate MINIMUM rates'; providing for severability; and declaring an emergency."

To the Committee on Insurance.

By Senator Rogers of Travis:

S. B. No. 241, A bill to be entitled "An Act amending Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended, codified as Article 4590c in Vernon's Texas Civil Statutes and commonly known as the Basic Sciences Law; amending Section 4 so as to combine the offices of Secretary and Treasurer of the State Board of Examiners in Basic Sciences into the single office of Secretary-Treasurer; amending Section 5 so as to require fee payments by applicants for certification by waiver of examination; amending Section 8 so as to clarify certification by reciprocity; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Fuller:

S. B. No. 242, A bill to be entitled "An Act amending Sub-sections 58, 60, of Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 84, Acts 1929, 41st Legislature, Second Called Session, providing that the 58th Judicial District Court and the 60th Judicial Court of Jefferson County, Texas, may sit at Port Arthur, Texas, for the trying, hearing, and determination of non-jury civil cases and matters; permitting the District Clerk of Jefferson County to transfer records and minutes of his office to Port Arthur and vice versa; providing for the Sheriff and the District Clerk of Jefferson County, Texas, to serve or furnish deputies at Port Arthur, Texas, when said courts are held there, and permitting the official reporter of any court sitting at Port Arthur, Texas to serve in said Port Arthur; authorizing the Commissioner's Court to provide suitable quarters for said courts while sitting in Port Arthur, Texas; repealing all laws or parts of laws in conflict herewith, and expressing the intent of the Legislature in passing said Act; declaring an emergency."

To the Committee on State Affairs.

By Senator Fuller:

S. B. No. 243, A bill to be entitled "An Act amending Sub-section 160a of Article 52, Code of Criminal Procedure of Texas, Revised Civil Statutes, 1925,

as amended, providing that the Criminal District Court of Jefferson County Texas, may sit at Port Arthur, Texas, for the trying, hearing, and determination of certain non-jury civil cases and matters; permitting the District Clerk of Jefferson County to transfer records and minutes of his office to Port Arthur and vice versa; providing for the Sheriff and the District Clerk of Jefferson County, Texas, to serve or furnish deputies at Port Arthur, Texas, when said Court is held there, and permitting the official reporter of any court sitting at Port Arthur, Texas, to serve in said Port Arthur; authorizing the Commissioner's Court to provide suitable quarters for said Court while sitting in Port Arthur, Texas, in the Sub-Courthouse of the said Port Arthur, Texas; repealing all laws or parts of laws in conflict herewith, and expressing the intent of the Legislature in passing said Act; declaring an emergency."

To the Committee on State Affairs.

By Senator Hardeman:

S. B. No. 244, A bill to be entitled "An Act to prohibit the display of flags of international organizations, other nations or states in equal or superior prominence or honor to the flag of the United States or of the State of Texas; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hardeman:

S. B. No. 245, A bill to be entitled "An Act to regulate the display of the Texas flag so as to forbid the use of any flag other than that of the United States in a position superior to that of the Texas flag at any place within the boundaries of the State of Texas; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hardeman:

S. B. No. 246, A bill to be entitled "An Act to regulate the display of the United States and Texas flags within the boundaries of Texas; and declaring an emergency."

To the Committee on State Affairs.

Senate Resolution 77

Senator Rogers of Childress offered the following resolution:

Whereas, At 6:00 a.m. on February 17, 1955, there was brought into the world in the great city of El Paso, Texas, a new citizen named William

Farrier Owen, weighing nine (9) pounds and twelve (12) ounces and being the picture of health; and

Whereas, William Farrier Owen is the first child to be born to a Member of the Senate during the Fifty-fourth Session of the Senate of the State of Texas; and

Whereas, William Farrier Owen is the son of the personable and illustrious Honorable Frank Owen III and his lovely and gracious wife, Mary Anne; and

Whereas, It is in keeping with the revered and time-honored custom of the Senate to recognize and honor such a fine son of our distinguished fellow member with the title of Mascot; now, therefore, be it

Resolved, That William Farrier Owen be duly declared Mascot of the Senate of the Fifty-fourth Texas Legislature, and that his photograph be subsequently placed on the panel with the Members of the Fifty-fourth Senate; and, be it further

Resolved, That an enrolled copy of the resolution be sent each to this magnificent young man, his parents (Mr. and Mrs. Frank Owen III), and his grandparents (Mr. and Mrs. Frank Owen, Jr.), and his maternal great-grandmother (Mrs. E. F. Garrison), and that the Senate do this day go on record as extending to the first child born during this Fifty-fourth Session its best wishes for happiness and good health through his entire lifetime.

ROGERS of Childress

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Colson, Corbin, Fly, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Roberts, Rogers of Travis, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Rogers of Travis the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Resolution 78

Senator Corbin offered the following resolution:

Whereas, We are honored today to

have as visitors in the Senate, Mr. B. B. Burnett and Mr. Leland M. Johnson of Dallas, Texas; and

Whereas, Mr. Burnett is an outstanding businessman and civic leader of Dallas and the State of Texas; and

Whereas, Mr. Johnson is an outstanding member of the Dallas Bar and a former Member of the Texas Legislature, having served in the House of Representatives from Ellis County in the 45th and 46th Legislatures; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

CORBIN
PARKHOUSE

The resolution was read and was adopted.

Senate Resolution 79

Senator Hardeman offered the following resolution:

Whereas, John Marshall Harlan, Esquire, of New York City, has been nominated for appointment as a Justice of the Supreme Court of the United States; and

Whereas, It is reported that Mr. Harlan is a member of the National Advisory Council of the Atlantic Union Committee and has been since 1952, a committee which proposes and advocates that these United States join in a common government with certain other nations, thereby dissolving our nation and surrendering our heritage as free-born American citizens, discarding our proved democratic principles of self-government, and forsaking those unalienable rights, among which are "life, liberty and the pursuit of happiness," and to secure which our forefathers mutually pledged their lives, their fortunes and their sacred honor; and

Whereas, Such action will place it beyond the power of our own people to control their own destiny, to guard personal liberty, and to safeguard the liberties guaranteed under our Constitution, at the cost of "blood and tears, toil and sweat," and which is inimical to the best interest of our country and contrary to the principles of constitutional American liberty; and

Whereas, It is requisite that our

governing officials and leaders in all walks of life in these critical times be true to the American concept of government as well as the Christian concept, and to steadily discountenance irregular opposition to the acknowledged authority of our Constitution and resist the spirit of innovation upon its principles however specious the pretext; and

Whereas, By virtue of the principles of Constitutional American liberty said John Marshall Harlan stands disqualified to serve in such high office; and

Whereas, It is believed that such membership disqualifies Mr. Harlan and renders him unfit to serve on the Supreme Court of the United States, especially since this high tribunal may be called upon to pass upon questions involving international commitments and secret agreements sponsored by such groups as the Atlantic Union Committee and other organizations within the framework of the United Nations; now, therefore, be it

Resolved, That the Senate of Texas is hereby respectfully requesting and petitioning the Senate Judiciary Committee of the United States Senate to carefully and fully investigate, and inquire into the background, personal history and qualification of Mr. Harlan by such standards and, if he be found wanting in these essential requirements of Americanism that his nomination be rejected so that the independence and integrity of our Nation will be preserved and such theories as have been espoused by Mr. Harlan, if these reports be true, will hereafter be rejected and urged as disqualification under similar circumstances.

The resolution was read.

Senator Hardeman asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Hardeman then moved to suspend the regular order of business and that S. R. No. 79 be considered immediately.

The motion was lost by the following vote:

Yeas—11

Aikin	Owen
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Strauss
Lock	Wagon seller
Martin	

Nays—16

Ashley	Phillips
Bracewell	Roberts
Colson	Rogers
Corbin	of Childress
Hazlewood	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
Latimer	Willis
McDonald	

Absent

Moore

Absent—Excused

Lane
Moffett

Weinert

The resolution was then referred to the Committee on State Affairs.

House Bills and Resolution on First Reading

The following House bills and resolution received from the House were read the first time and referred to the committees indicated:

H. B. No. 68, to Committee on Insurance.

H. B. No. 23, to Committee on Criminal Jurisprudence.

H. B. No. 39, to Committee on Insurance.

H. B. No. 21, to Committee on Game and Fish.

H. B. No. 113, to Committee on Privileges and Elections.

H. B. No. 119, to Committee on State Affairs.

H. B. No. 176, to Committee on Game and Fish.

H. B. No. 270, to Committee on Educational Affairs.

H. B. No. 123, to Committee on Insurance.

H. B. No. 261, to Committee on Civil Jurisprudence.

H. B. No. 161, to Committee on State Affairs.

H. C. R. No. 21, to Committee on Civil Jurisprudence.

H. B. No. 227, to Committee on State Affairs.

H. B. No. 156, to Committee on State Affairs.

H. B. No. 108, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 338, to Committee on Civil Jurisprudence.

H. B. No. 102, to Committee on State Affairs.

H. B. No. 125, to Committee on Civil Jurisprudence.

Senate Bill No. 67 Re-referred

On motion of Senator Martin and by unanimous consent S. B. No. 67 was withdrawn from the Committee

on Finance and re-referred to the Committee on State Affairs.

Co-Authors of Senate Bill 209

On motion of Senator Fly and by unanimous consent Senators Ratliff, Rogers of Childress and Willis will be shown as co-authors of S. B. No. 209.

Recess

On motion of Senator Kelley, the Senate, at 11:35 o'clock a. m., took recess until 10:30 o'clock a. m. tomorrow.

In Memory of
Honorable
William Alexander Hutchinson

Senator Aikin offered the following resolution:

(Senate Resolution 76)

Whereas, On January 19, 1955, the Honorable William Alexander (Billy) Hutchinson, prominent Texas attorney and civic leader, died at his home in Paris, Texas, at the age of 78 years; and

Whereas, William Alexander Hutchinson was born at Blossom Prairie in Lamar County in 1877; was married to Miss Edna Denison in 1897; and moved to Paris the following year where he continued to live for the remainder of his lifetime; and

Whereas, He was admitted to the Bar in 1900 and was appointed assistant county attorney of Lamar County in 1904. From 1908 to 1912 he served as county attorney, after which he entered the private practice of law. He was a member of the State Bar Association and a past president of the Lamar County Bar Association, serving the latter organization as its vice president prior to that time; and

Whereas, He was a devout member of the First Methodist Church and was a steward and a trustee of that church; and

Whereas, At the time of his death he was a director of the Liberty National Bank in Paris and a leader in many worthy projects for his city and his State; now, therefore, be it

Resolved, That the passing of William Alexander Hutchinson be recognized by the Senate of Texas; that a page be set aside in its Journal today in memory of this distinguished Texan and that when we adjourn today we do so in his honor; and be it further

Resolved, That we extend to his family our deepest sympathy and that copies of this Resolution be mailed to his wife and children.

AIKIN

Signed—Ben Ramsey, Lieutenant Governor; Ashley, Bracewell, Colson, Corbin, Fly, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Roberts, Rogers of Childress, Rogers of Travis, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Martin the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.